

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RICHARD GENE REES,

Plaintiff,

v.

CV No. 21-00029 MV/CG

CLOVIS POLICE DEPARTMENT, et al.,

Defendants.

**ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915(b)
AND TO MAKE PAYMENTS OR SHOW CAUSE**

THIS MATTER is before the Court on Plaintiff Richard Gene Rees's *Application to Proceed in District Court without Prepaying Fees or Costs* (the "Application"), (Doc. 6), filed on January 28, 2021. Because the Court grants the Application, the filing fee for this civil rights complaint is \$350.00. Based on the information about Mr. Rees's financial status, (Doc. 6 at 3-4), the Court will waive an initial partial payment pursuant to 28 U.S.C. § 1915(b)(1). Mr. Rees is still required to pay the full amount of the filing fee pursuant to § 1915(b)(1). Failure to comply with this Order may result in dismissal of the Complaint without further notice.

IT IS THEREFORE ORDERED that Mr. Rees's *Application to Proceed in District Court without Prepaying Fees or Costs*, (Doc. 6), is **GRANTED** and the initial payment is **WAIVED**.

IT IS FURTHER ORDERED that Mr. Rees file monthly financial certificates and make monthly payments of twenty percent (20%) of the preceding month's income credited to his account until the fee is paid or show cause why the payment should be excused; and the Clerk is directed to provide Mr. Rees with two copies of the post-filing

financial certificate.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Carmen E. Garza", with a long horizontal flourish extending to the right.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE